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UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,  
  
Plaintiff,  
  
v.  
  
UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,  
  
Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF  
THOMAS J. PARDINI IN SUPPORT  
OF DEFENDANTS UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL THEIR  
RESPONSE TO WAYMO'S  
SUBMISSION TO SPECIAL MASTER  
COOPER REGARDING THE JACOBS  
DOCUMENTS**

I, Thomas J. Pardini, declare as follows:

1. I am a member of the Bar of the State of California and an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Defendants' Administrative Motion to File Under Seal Their Response to Waymo's Submission to Special Master Cooper Regarding the Jacobs Documents.

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Uber's Response	Highlighted Portions	Plaintiff (Green)
Exhibits A-E to the Declaration of Marcie Brimer	Entire Documents	Defendants/Plaintiff
Exhibits A-D to the Declaration of Samuel Cortina	Entire Documents	Defendants/Plaintiff
Exhibit A to the Declaration of Maxwell Pritt	Entire Document	Plaintiff
Exhibits A-C, E-F to the Declaration of Sylvia Rivera	Entire Documents	Plaintiff Defendants (blue highlights)
Rivera Exhibit D	Entire Document	Plaintiff
Rivera Exhibit I	Entire Document	Defendants
Rivera Exhibit J	Blue Highlights	Defendants
Rivera Exhibits L-P	Entire Documents	Plaintiff

3. Exhibits A-E to the Declaration of Marcie Brimer, and Exhibits A-D to the Declaration of Samuel Cortina, are notes of communications and negotiations between counsel

1 before the Special Master. These conversations were not intended for public disclosure and  
2 contain information maintained as confidential by both parties, including technical and business  
3 information. The notes describe lengthy private conversations and negotiations that are naturally  
4 more candid and informal than a written email communication, and were not transcribed by a  
5 court reporter. For all these reasons, Defendants request these documents be filed entirely under  
6 seal.

7 4. The blue highlights of Rivera Exhibits A, C, E, and F contain highly confidential  
8 information regarding the names of Uber's internal servers. I understand that disclosure of this  
9 information could compromise the security and privacy of these internal servers.

10 5. The blue highlights of Rivera Exhibit B contain references to highly confidential  
11 third party vendors, some of whom have NDAs with Uber. Defendants request this information  
12 be sealed to protect these confidential business relationships from disclosure and possible  
13 interference from competitors.

14 6. The entirety of Rivera Exhibit I contains confidential information regarding an  
15 Uber internal policy regarding network devices, including internal rules and password  
16 requirements. I understand that disclosure of this information could allow competitors to acquire  
17 inside information about how Uber operates and manages its internal systems, such that Uber's  
18 competitive standing could be harmed.

19 7. The blue highlights of Rivera Exhibit J contain contact information of company  
20 employees, whose electronic communications may become compromised if this information were  
21 disclosed to the public. Defendants seek to seal this information in order to protect the privacy of  
22 these individuals because this lawsuit is currently the subject of extensive media coverage. I  
23 understand that disclosure of this information could expose these individuals to harm or  
24 harassment.

25 8. The green-highlighted portions of Uber's Response, the entireties of Brimer  
26 Exhibits A-E, Cortina Exhibits A-D, Pritt Exhibit A, and Rivera Exhibits A-F and L-P contain  
27 information that has been designated "Highly Confidential – Attorneys' Eyes Only" or  
28 "Confidential" by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective

1 Order (“Protective Order”), which the parties have agreed governs this case (Transcript of  
2 3/16/2017 Hearing, page 6). Defendants file this material under seal in accordance with  
3 Paragraph 14.4 of the Protective Order.

4 Defendants’ request to seal is narrowly tailored to the portions of their Response and  
5 supporting exhibits that merit sealing.

6 I declare under penalty of perjury that the foregoing is true and correct. Executed this 8th  
7 day of December, 2017 at San Francisco, California.

8  
9 /s/ Thomas J. Pardini  
Thomas J. Pardini

10  
11  
12 **ATTESTATION OF E-FILED SIGNATURE**

13 I, Arturo J. González, am the ECF User whose ID and password are being used to file this  
14 Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Thomas J. Pardini has  
15 concurred in this filing.

16 Dated: December 8, 2017

/s/ Arturo J. González  
Arturo J. González